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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,989	08/17/2001	Fernando Pedone	10010652-1	4220

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER	
BURGESS, BARBARA N	
ART UNIT	**PAPER NUMBER**
2157	

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/931,989	PEDONE, FERNANDO	
	Examiner	Art Unit	
	Barbara N. Burgess	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 January 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This Office Action is in response to Amendment filed January 11, 2005. Claims 1-20 are presented for further examination.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Klos et al. (hereinafter "Klos", US Pub No 2004/0022379 A1).

As per claim 1, Klos discloses a method for validation of a service request in a distributed computing system comprising:

providing a request for service (paragraph [0029]);

providing a plurality of channels connected to the client (paragraphs [0308]-[0310]);

providing first and second processes connected to the plurality of channels for validating the request for service (paragraphs [0007], [0010], Abstract);

determining in the first and second processes that the request for service has not been previously validated (paragraph [0039]);

transmitting from the first and second processes messages having information

indicative of the transmitting from the first or second process and the request for service (paragraphs [0007], [0010]);

storing the information in the first and second processes (paragraphs [0037], [0055], [0067]); and

accepting the request for service in the first or second process after the messages are transmitted and message related information is different from the information stored in the respective first or second process (paragraphs [0618], Abstract).

As per claim 2, Klos discloses the method of validating a service request as claimed in claim 1 including rejecting the request for service in the first or second process when the message related information is the same as the information stored in the respective first or second process (paragraphs [0062], [0064]).

As per claim 3, Klos discloses the method of validating a service request as claimed in claim 1 wherein:

transmitting the message broadcasts the message (paragraphs [0035], [0105], [0170]);

storing the information stores the information after broadcasting the message (paragraphs [0037], [0055], [0067]); and

the message contains the message related information (paragraphs [0035], [0105], [0170]).

As per claim 4, Klos discloses the method of validating a service request as claimed in claim 1 wherein:
transmitting the message sends the message (paragraphs [0035], [0105], [0170]); and
storing the information stores the information after receiving the sent message (paragraphs [0037], [0055], [0067]).

As per claim 5, Klos discloses the method of validating a service request as claimed in claim 1 wherein:
transmitting the message sends the message (paragraphs [0035], [0105], [0170]); and
storing the information stores the information after receiving the sent message (paragraphs [0037], [0055], [0067]);
and including executing a consensus after receiving the message to propose consensus information (paragraphs [0139]-[0147]);
the consensus information is the message related information (paragraphs [0139]-[0147]).

As per claims 6, 11 and 16, Klos discloses a method, means, and system of validating a service request comprising:
providing a request for service (paragraph [0029]);
providing a plurality of channels connected to the client (paragraphs [0308]-[0310]);
providing a plurality of processes connected to the plurality of channels for validating the request for service (paragraphs [0007], [0010], Abstract);

determining in the plurality of processes that the request for service has not been previously validated (paragraph [0039]);

transmitting from the plurality of processes values indicative of the transmitting from the each of the plurality of processes and the request for service (paragraphs [0007], [0010]);

storing the value in the plurality of processes (paragraphs [0037], [0055], [0067]); and

accepting the request for service in one of the plurality of processes after the value is transmitted and a value related to the value transmitted is different from the value stored in the one of the plurality of processes (paragraphs [0618], Abstract).

As per claims 7, 12, and 17, Klos discloses the method, means, and system of validating a service request ms claimed in claim 6 including:

rejecting the request for service in others of the plurality of processes when the value related to the value transmitted is the same as the value stored in the others of the plurality of processes (paragraphs [0062], [0064]).

As per claims 8, 13, and 18, Klos discloses the method, means, and system of validating a service request as claimed in claim 6 wherein:

transmitting the value broadcasts the value (paragraphs [0035], [0105], [0170]); and

storing the value stores the value after the value is broadcast (paragraphs [0037], [0055], [0067]).

As per claims 9, 14, and 19, Klos further discloses the method, means, and system of validating a service request as claimed in claim 6 wherein:
transmitting the value sends the value (paragraphs [0035], [0105], [0170]); and
storing the value stores the value after receiving the sent value (paragraphs [0037], [0055], [0067]).

As per claims 10, 15, and 20, Klos discloses the method, means, and system of validating a service request as claimed in claim 6 wherein:
transmitting the value by sending (paragraphs [0035], [0105], [0170]); and
storing the value stores the value after receiving the sent value (paragraphs [0037], [0055], [0067]);
executing a consensus after receiving the value to propose a consensus value (paragraphs [0139]-[0147]); and
the consensus value is the value related to the value transmitted (paragraphs [0139]-[0147]).

Response to Arguments

The Office notes the following arguments:

(a) Specifically, independent claims 1, 6, 11, and 16 recite "transmitting from the first and second processes messages having information indicative of transmitting from the first and second processes messages having information indicative of the transmitting

from the first or second process and the request for service" that is not disclosed by Klos.

(b) Independent claims 1, 6, 11, and 16, recite "accepting the request for service in the first or second process after the messages are transmitted and message related information is different from the information stored in the respective first or second process" that is not disclosed by Klos.

3. Applicant's arguments filed have been fully considered but they are not persuasive.

In response:

(a)-(b) Klos discloses a system that receives requests representative of service orders for subscribers. The system includes an order management system comprising processes which determine service implementing information to implement a service such an input process, a verification process, a messaging process, an output process. The processes of the order management system communicate via messages containing the requests.

Initially, processing is performed by the TIP service. TIP determines where a request is a query request or order entry. The TIP forwards the request to the necessary router. The dispatch processing service then takes in an incoming request from the TIP. Dispatch checks to see if reformatting is necessary. If so, the request is passed to the

reformat service for processing. The verify service takes the request and performs certain content tests against the data.

Service order requests go through many processes before it is considered complete. The processes use messages to communicate with each other. Once a particular process has done its service, this information is attached to the message containing the service order request and is forwarded to the next process (paragraphs [0029-00314, 0099, 0697, 0703-0704, 0710, 0712, 0727].

Therefore, Klos indeed discloses "transmitting from the first and second processes messages having information indicative of transmitting from the first and second processes messages having information indicative of the transmitting from the first or second process and the request for service" and "accepting the request for service in the first or second process after the messages are transmitted and message related information is different from the information stored in the respective first or second process".

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N. Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barbara N Burgess
Examiner
Art Unit 2157

July 30, 2005

ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100